

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, SEPTEMBER 28, 2011**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, September 28, 2011** in Committee Room #2, at 9:36 a.m.

The following members were present:

**The Honorable Aaron Watson, Chair  
The Honorable Cleta Winslow, Vice Chair  
The Honorable Howard Shook  
The Honorable Carla Smith  
The Honorable Ivory Lee Young, Jr.  
The Honorable Kwanza Hall**

The following Councilmember was absent:

**The Honorable Keisha Lance Bottoms**

Others present at the meeting were: Director Charletta Wilson-Jacks, Dan Young, Principal Planner, Department of Planning and Community Development; City Attorneys Lem Ward and Jeffery Haymore, Law Department; and members of the public and Council staff.

- A.    ADOPTION OF AGENDA - ADOPTED**
- B.    APPROVAL OF MINUTES - APPROVED**
- C.    ZRB SUMMARY REPORT**
- D.    PAPERS HELD IN COMMITTEE**

10-O-0013 ( 1 )    An Ordinance by Councilmember Aaron Watson **as**  
**Z-07-113**           **substituted and amended by Zoning Committee** to  
                      rezone from the I-1-C (Light Industrial-Conditional)  
                      District to the MRC-3 (Mixed Residential Commercial)  
                      District, property located at **430 and 460 Englewood**  
                      **Avenue, SE**, fronting approximately 678 feet on the north  
                      side of Englewood Avenue beginning approximately 132  
                      feet from the northeast corner of Mailing Avenue.  
                      **(Substituted as amended and held 1/13/10 at the**  
                      **request of the District Councilmember)**  
Depth:            Approximately 1,010 feet  
Area:             Approximately 10.32 acres  
Land Lot:         42, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:            JWGST LLC/Joseph Wiles

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

Applicant: Jason Fritz  
**NPU-Y**

**Council District 1**

**HELD**

10-O-0035 ( 2)  
**U-09-22**

An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. **(Held 1/27/10 at the request of the District Councilmember)**

Depth: Varies

Area: Approximately 5.8 Acres

Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Charitable Connections, Inc.

Applicant: Charitable Connections, Inc./Michelle R. Uchiyema

**NPU-H**

**Council District 10**

**HELD**

11-O-0824 ( 3)

An Ordinance by Zoning Committee to amend Section 6-4028 and to create Section 6-4028.1 of the Land Development Code, Part III of the Code of Ordinances, so as to change the Deferral Fee for Variance and Special Exception Applications before the Board of Zoning Adjustment to a flat fee for each instance that the Board grants an applicant's request for deferral to a subsequent public hearing on the application; and for other purposes. **(Held 6/15/11) (To be Advertised for a Public Hearing)**

**HELD**

11-O-0692 ( 4)  
**U-11-16**

An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights.

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**D. PAPERS HELD IN COMMITTEE (CONT'D)**

Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the **544 North Angier Avenue, NE** (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

**HELD**

11-O-0693 ( 5)  
**U-11-17**

An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023(2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from **641 (aka 665) North Avenue, NE** (Perlman Tract) (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

**HELD**

11-O-0857 ( 6)  
**U-11-18**

An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc., (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the **690 Morgan Street, NE. (a.k.a. 0 North Avenue Tax Parcel Identification 14-0018-0001-026-5)**, (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

**HELD**

11-O-0533 ( 7)  
**Z-11-12**

An Ordinance by Councilmember Natalyn Mosby Archibong **as substituted by Zoning Committee** to amend Chapter 32B NC-2 East Atlanta Village Neighborhood Commercial District of the 1982 Zoning Ordinance of the City of Atlanta Code of Ordinances for the purpose of adding specific regulations; and for other purposes. **(Held 9/28/11)**

**HELD**

**SUMMARY REPORT**  
September 28, 2011

<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM</b>
<b><u>FAVORABLE ON SUBSTITUTE</u></b>						
11-O-0778	Z-11-17	West End Historic District Regulations	Text Amendment	Approval of a Substitute Ordinance	Approval	Approval of a Substitute Ordinance
Councilmember Winslow made a motion to approve on substitute. The vote was unanimous.						
11-O-0691	Z-11-14	169 Moreland Avenue, SE N-5	R-5 to MR-3-C	Approval Conditional of a Substitute Ordinance	Approval Conditional	Approval of a Substitute Ordinance
Councilmember Smith made a motion to approve on substitute. The vote was unanimous.						
<b><u>FAVORABLE AS AMENDED</u></b>						
11-O-1282	U-11-27	111 Hollow Tree Lane, SW Z-12	Special Use Permit for a Processing Facility	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Young made a motion to approve as amended. The vote was unanimous.						
<b><u>FAVORABLE ON SUBSTITUTE AS AMENDED</u></b>						
11-O-0999	U-11-24	835 Mercer Street, SE W-1	Special Use Permit for a Day Care Center	Denial	Approval	Denial
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						

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**LINK TO ZRB PENDING LEGISLATION**

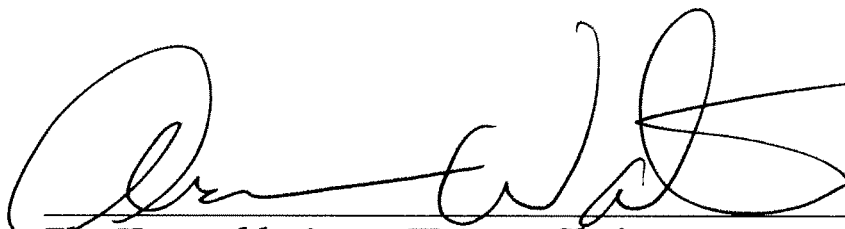
<http://citycouncil.atlantaga.gov/2011/pendingzrb.htm>

**There being no further business to come before the Zoning Committee the meeting was adjourned at 9:46 a.m.**

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Assistant**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Aaron Watson, Chair**